

## **Title 210 - NEBRASKA DEPARTMENT OF INSURANCE**

### **Chapter 42 - RULE FOR RECOGNIZING MORTALITY TABLES FOR USE IN DETERMINING RESERVE LIABILITIES FOR ANNUITIES**

001. Statutory authority. This Rule is promulgated by the Director of Insurance under the authority granted by Neb.Rev.Stat. §44-404 and §44-101.0 1.

002. Purpose. The purpose of this Rule is to recognize the following mortality tables for use in determining the minimum standard of valuation for annuity and pure endowment contracts: the 1983 Table "a," the 1983 Group Annuity (1983 GAM) Table, the Annuity 2000 Mortality Table and the 1994 Group Annuity Reserving (1994 GAR) Table.

#### 003. Definitions.

003.01 As used in this Rule " 1983 Table 'a' " means that mortality table developed by the Society of Actuaries Committee to Recommend a New Mortality Basis for Individual Annuity Valuation and adopted as a recognized mortality table for annuities in June; 1982 by the National Association of Insurance Commissioners.

003.02 As used in this Rule "1983 GAM Table" means that mortality table developed by the Society of Actuaries Committee on Annuities and adopted as a recognized mortality table for annuities in December 1983 by the National Association of Insurance Commissioners.

003.03 As used in this Rule "1994 GAR Table" means that mortality table developed by the Society of Actuaries Group Annuity Valuation Table Task Force and shown on pages 866-867 of Volume XLVII of the *Transactions of the Society of Actuaries* (1995).

003.04 As used in this Rule "Annuity 2000 Mortality Table" means that mortality table developed by the Society of Actuaries Committee on Life Insurance Research and shown on page 240 of Volume XLVII of the *Transactions of the Society of Actuaries* (1995).

004. Individual annuity or pure endowment contracts.

004.01 Except as provided in subsections 004.02 and 004.03 of this section, the 1983 Table "a" is recognized and approved as an individual annuity mortality table for valuation and, at the option of the company, may be used for purposes of determining the minimum standard of valuation for any individual annuity or pure endowment contract issued on or after August 24, 1979.

004.02 Except as provided in subsection 004.03 of this section, either the 1983 Table "a" or the Annuity 2000 Mortality Table shall be used for determining the minimum standard of valuation for any individual annuity or pure endowment contract issued on or after January 1, 1987.

004.03 Except as provided in subsection 004.04 of this section, the Annuity 2000 Mortality Table shall be used for determining the minimum standard of valuation for any individual annuity or pure endowment contract issued on or after January 1, 1999.

004.04 The 1983 Table "a" without projection is to be used for determining the minimum standards of valuation for an individual annuity or pure endowment contract issued on or after January 1, 1999, solely when the contract is based

on life contingencies and is issued to fund periodic benefits arising from:

(1) Settlements of various forms of claims pertaining to court settlements or out-of-court settlements from tort actions;

1. Settlements involving similar actions such as workers' compensation claims; or

(3) Settlements of long-term disability claims where a temporary or life annuity has been used in lieu of continuing disability payments.

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005. Group annuity or pure endowment contracts.

005.01 Except as provided in subsections 005.02 and 005.03 of this section, the 1983 GAM Table, the 1983 Table "a" and the 1994 GAR Table are recognized and approved as group annuity mortality tables for valuation and, at the option of the company, any one of these tables may be used for purposes of valuation for any annuity or pure endowment purchased on or after August 24, 1979 under a group annuity or pure endowment contract.

005.02 Except as provided in subsection 005.03 of this section, either the 1983 GAM Table or the 1994 GAR Table shall be used for determining the minimum standard of valuation for any annuity or pure endowment purchased on or after January 1, 1987 under a group annuity or pure endowment contract.

005.03 The 1994 GAR Table shall be used for determining the minimum standard of valuation for any annuity or pure endowment purchased on or after January 1, 1999 under a group annuity or pure endowment contract.

006. Application of the 1994 GAR Table. In using the 1994 GAR Table, the mortality rate for a person age  $x$  in year  $(1994 + n)$  is calculated as follows:

$$q_x^{1994+n} = q_x^{1994} (1 - AA_x)^n$$

where the  $q_x^{1994}$  and  $AA_x$ s are as specified in the 1994 GAR Table.

007. Separability. If any provision of this Rule or the application thereof to any person or circumstances is for any reason held to be invalid, the remainder of the regulation and the application of such provision to other persons or circumstances shall not be affected thereby.

008. Operative date. The operative date of this Rule is January 1, 1999.